

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 24269 of 2025

Arising Out of PS. Case No.-66 Year-2024 Thana- MITHANPURA District- Muzaffarpur

Bhola Kumar S/o Late Hira Sahni R/o Village- Bela Imli Chowk, P.S.-
Mithanpura, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Advocate
For the Opposite Party/s : Mr.Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Mithanpura P. S. Case No. 66 of 2024, dated 23-02-2024 instituted for the offence punishable under Sections 413 and 414 of the Indian Penal Code and Sections 8(c) and 21(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. The allegation is of recovery of a total of 1.800 grams of a smack-like substance in five sachets, each containing 0.36 grams, from the petitioner, along with one motorcycle. It is further alleged that six persons were apprehended at the spot, and a total of 18.230 grams of smack-like substance was recovered from all six accused persons.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that the quantity of the recovered contraband is less than the small quantity for which the maximum prescribed punishment is extendable up to one year. It is also submitted that similarly situated co-accused persons, namely Manish Kumar and Sonu Kumar @ Lalla, have already been granted bail by a Co-ordinate Bench of this Court vide orders dated 11.06.2024 and 19.07.2024, passed in Cr. Misc. No. 40591 of 2024 and Cr. Misc. No. 38579 of 2024, respectively. The petitioner is in judicial custody since 24.02.2024. Lastly, it is submitted that one criminal case is pending against the petitioner.

5. Learned A.P.P. has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, N.D.P.S. Court No. II, Muzaffarpur, in connection with NDPS Case No. 10 of 2025 arising out of Mithanpura P. S. Case No. 66 of 2024 subject to the following conditions:-



(1) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) That accused/petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

7. The application stands allowed.

(Khatim Reza, J)

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